

**IN THE HIGH COURT OF JUDICATURE AT PATNA
(FROM RESIDENTIAL OFFICE VIA VIDEO APPLICATION)
CRIMINAL MISCELLANEOUS No.17486 of 2020**

Arising Out of PS. Case No.-160 Year-2019 Thana- AKHODHIGOLA District- Rohtas

GANESH RAJWAR @ GANESH RAM S/o Awadhesh Rajwar Resident of
Village-Mahuari, P.S.-Akorhigola, District-Rohtas, Bihar.

... .. Petitioner

Versus

The State of Bihar

... .. Opposite Party

Appearance :

For the Petitioner/s : Mr.Rajesh Kumar Singh, Advocate

For the Opposite Party/s : Ms.Anita Kumari, APP

**CORAM: HONOURABLE MR. JUSTICE RAJEEV RANJAN PRASAD
ORAL ORDER**

3 23-09-2020 Heard learned counsel for the petitioner and Ms. Anita
Kumari, learned APP for the State.

The petitioner in the present case is seeking pre-arrest
bail in connection with Akorhi Gola P.S. Case No. 160 of 2019
registered for the offences punishable under Sections 341, 323,
307, 379, 504, 506/34 of the Indian Penal Code.

Learned counsel for the petitioner submits that both
the parties are co-villagers and from the First Information
Report it will appear that there are general and omnibus
allegation against altogether six accused persons who had
allegedly assembled with Lathi and Danda and had assaulted the
informant. in those six persons this petitioner is not named, but
later on in the last line of the First Information Report the
informant has added that in assault this petitioner was also



involved. It is thus submitted that it is a case of false implication of the petitioner at a later stage without there being any allegation of assault against him.

Although learned A.P.P. for the State has opposed the prayer for anticipatory bail of the petitioner but having noticed that in the first part of the First Information Report the petitioner is not named among the six named persons against whom there are allegations of assaulting the others and it is only in the later part that the name of the petitioner has been added without there being any specific allegation against him, let the petitioner above-named in the event of his arrest or surrender within a period of four weeks from today in connection with Akorhi Gola P.S. Case No. 160 of 2019 be released on bail on furnishing of bail bonds of Rs. 25,000/- (twenty five thousand) with two sureties of the like amount each to the satisfaction of learned 1st Class Judicial Magistrate, Dehri, Rohtas, subject to the conditions as laid down under Section 438 (2) of the Cr.P.C. i.e.

(i) a condition that the person shall make himself available for interrogation by a police officer as and when required;

(ii) a condition that the person shall not, directly or indirectly, make any inducement, threat or promise to any



person acquainted with the facts of the case so as to dissuade him from disclosing such facts to the Court or to any police officer;

(iii) a condition that the person shall not leave India without the previous permission of the Court.

(Rajeev Ranjan Prasad, J)

Rajeev/-

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Note: The ordersheet duly signed has been attached with the record. However, in view of the present arrangements, during Pandemic period all concerned shall act on the basis of the copy of the order uploaded on the High Court website under the heading 'Judicial Orders Passed During The Pandemic Period'.

